

# Retention and Classification Report

**Agency:** District Court (Seventh District : Grand County) (1700)

125 East Center Street  
Moab, UT 84532  
435-259-4081

## Records Officer

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**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 16948

3

**TITLE:** Case files

**DATES:** 1970-

**ARRANGEMENT:** Numerical by case number.

**DESCRIPTION:**

**RETENTION AND DISPOSITION AUTHORIZATION:**

**APPROVED:** 09/2009

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently and then microfilm.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

**PRIMARY CLASSIFICATION:**

Private

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 13111

3

**TITLE:** Civil case files

**DATES:** 1896-

**ARRANGEMENT:** Numerical by case number.

**DESCRIPTION:**

These case files from the Seventh District Court in Grand County document the legal process and the administration of justice in conjunction with a civil proceeding for the determination of a controversy between parties wherein rights are enforced or protected, or wrongs are prevented or redressed. Included are all cases which cannot legally be called "criminal cases." Records and documents pertaining to a particular action are filed together by the court clerk, who is required by the Rules of Civil Procedure to file pleadings and other legal papers. Collectively they constitute the case file.

A civil action commences with the filing of a complaint with the court or by service to the defendant of a summons together with a copy of the complaint. A unique case number is assigned by the court when the papers are filed with the clerk. The case file for a particular action includes the original complaint or summons together with all legal papers subsequently filed in connection with the court proceeding through disposition or dismissal. Included are such documents as: depositions (or written testimony), demurrers (which are pleas for the dismissal of a lawsuit on the grounds that even if the statements of the opposition are true, they do not sustain the claim), interrogatories (a pretrial discovery tool in which written questions are propounded by one party and served to the adversary, who must answer by written replies made under oath), answers, counter claims, replies, motions, petitions, affidavits (written statements made under oath before an officer of the court, notary public, or other authorized person), stipulations (an agreement between attorneys that concerns business before a court and is designed to simplify, shorten, or settle litigation and save costs), exhibit documents (written contracts, bills, receipts, etc.), notices, objections, citations, sheriff's certificates, judge's orders and rulings, judge's instructions to the jury, judge's findings of fact and conclusions of law, final decrees, judgments, and executions (the process of carrying into effect a court's judgment, decree, or order).

Demurrers, pleas, and exceptions for insufficiency were abolished in 1953. Transcripts (an official and certified copy of what transpired in court or at an out-of-court deposition) and exhibits (items of real evidence) are not included in the case files.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 13111

**TITLE:** Civil case files

(continued)

Petitions for divorce are the predominant type of action in the civil case files. Suits to recover money are also common. These actions arise out of failure to honor promissory notes or other contract terms and non- payment of rent, lease payments, and court-ordered judgments. Attempts by plaintiffs to recover medical costs and lost income arising out of personal injury cases resulting from alleged carelessness or neglect appear frequently. These include traffic mishaps or accidents involving neighbors, employees, or business customers. Property cases include disputed ownership, damage, and contested improvements.

Legal actions include voluntary withdrawal or dissolution of corporations as well as petitions for a writ of habeas corpus (a court order requiring that a prisoner be brought before a judge to decide the legality of his detention or imprisonment). Court business (grand jury lists and reports, orders summoning persons to serve as jurors, various writs, etc.) have also been assigned civil case numbers.

According to statute, the district court has jurisdiction in all civil matters not excepted by the state constitution and not prohibited by law. During each calendar year the court is required to hold at least three terms at the county seat of each county within the district. The county clerk in each county serves as ex- officio clerk to the court and is responsible for maintaining the case files for actions arising in that county.

Responsibility for cases involving minimal monetary claims was reassigned to the newly created small claims departments of inferior courts in 1933. When inferior courts have original jurisdiction, the district court is limited to hearing appeals. Included are violations of city and town ordinances, as well as minor traffic laws, where a City Court or Justice of the Peace Court is established. Upon receipt of an appeal, the district court conducts a complete retrial of the case.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 13111

**TITLE:** Civil case files

(continued)

**FORMAT MANAGEMENT:**

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Paper: For records beginning in 1985 and continuing to the present. Retain in Office permanently.

Microfilm master: For records beginning in 1896 through 1956. Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfiche master: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

Administrative Historical Legal  
Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. They enforce or protect private rights and prevent or redress private wrongs. The value of the judge's decrees and final judgments to parties in an action may well extend beyond their immediate administrative use.

**PRIMARY CLASSIFICATION:**

Public

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 03/2015.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26183

3

**TITLE:** Civil cases index

**DATES:** 1896-1955.

**ARRANGEMENT:** Alphabetical by surname.

**DESCRIPTION:**

The Civil Case Index records the names of plaintiffs and defendants involved in civil actions and provides assigned case numbers, facilitating clerical management of and access to the civil case files.

While sitting in Moab, the Seventh District Court is restricted to adjudication of civil actions involving real property located within Grand County, those in which the defendant resides in Grand County, and those involving incidents occurring in Grand County.

**RETENTION:**

Retain permanently

**DISPOSITION:**

Retain in agency custody.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

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Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26183

**TITLE:** Civil cases index

(continued)

**APPRAISAL:**

Historical

Disposition is based on the importance of these records in accessing civil case files from the court which are scheduled as permanent records.

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26180

3

**TITLE:** Civil registers of action

**DATES:** 1896-1985.

**ARRANGEMENT:** Numerical by case number.

**DESCRIPTION:**

Traditionally district courts, including Seventh District Court (Grand County), created a register of actions for each civil case heard before the court. The register commenced when the first petition was filed, and thereafter the court listed each action until the case was dismissed or resolved with a decree. Actions listed might have included such things as filing petitions or other documents, setting dates for hearings, etc. Registers end with the resolution or dismissal of the case. For each case the court clerk identified the names of plaintiffs and defendants, the court assigned case number, and the names of representing attorneys. For each action he listed the type of action taken and the date on which that action was taken. Registers of action are case summaries which provide reference to additional records. Court assigned case numbers listed in the registers are a guide to case files which contain all of the important documents related to the case. The list of dates for actions provides reference to court minute books and record books which contain summaries of court actions and copies of important documents.

**RETENTION:**

Retain permanently

**DISPOSITION:**

Retain in agency custody.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently.



**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26180

**TITLE:** Civil registers of action

(continued)

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.

**APPRAISAL:**

Historical

This disposition is based on the legal and historical value of the REGISTERS OF ACTIONS. The court clerk is required by law [UCA X, (79) (a)] to keep a register of actions that functions as a chronological list of papers filed and fees paid which relate to individual civil actions.

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 13114

3

**TITLE:** Criminal case files

**DATES:** 1898-

**ARRANGEMENT:** Numerical by case number.

**DESCRIPTION:**

Most of the criminal case file filming appears jumbled in with the Grand County "official records".

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: For records beginning in 1985 and continuing to the present. Retain in Office permanently or until microfilmed.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfiche duplicate: For records beginning in 1896 through 1958. Retain in Office permanently.

Microfiche master: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

Historical Legal

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. They enforce or protect private rights and prevent or redress private wrongs. The value of the judge's decrees and final judgments to parties in an action may well extend beyond their immediate administrative use.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 13114

**TITLE:** Criminal case files

(continued)

**PRIMARY CLASSIFICATION:**

Public

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 03/2015.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26181

3

**TITLE:** Criminal registers of actions

**DATES:** 1896-1990.

**ARRANGEMENT:** Numerical by case number.

**DESCRIPTION:**

Traditionally district courts, including Seventh District Court (Grand County), created a register of actions for each criminal case heard before the court. The register commenced when the accusation was filed, and thereafter the court listed each action until the case was dismissed or resolved with a conviction or acquittal. For each case the court clerk identified the defendants, the crime of which he was accused, a court assigned case number, and the names of representing attorneys. For each action the clerk listed the type of action taken and the date on which that action was taken. Registers of action are case summaries which provide reference to additional records. Court assigned case numbers listed in the registers are a guide to case files which contain all of the important documents related to the case.

**RETENTION:**

Retain permanently

**DISPOSITION:**

Retain in agency custody.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26181

**TITLE:** Criminal registers of actions

(continued)

Microfilm duplicate: Retain in Office permanently.

**APPRAISAL:**

Historical

This disposition is based on the legal and historical value of the District Court REGISTERS OF ACTIONS. The court clerk is required by law [UCA X, (79) (a)] to keep register of actions that functions as a chronological list of papers filed and fees paid which relate to individual civil actions.

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 83885

4

**TITLE:** Inheritance tax liens registers

**DATES:** i 1909-1919.

**ARRANGEMENT:** Chronological

**DESCRIPTION:**

The district court clerk registers the estate settlements showing the heirs, devisees, or grantees, and their relationship to the deceased. This settlement was then assessed for tax purposes. Appraisal of property is included and the executor or administrator is named. If any real estate was subject to lien the lien was also registered.

**RETENTION:**

Retain Archives custody.

**DISPOSITION:**

Transfer to the State Archives with authority to weed.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Microfilm master: Retain in State Archives permanently with authority to weed.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 21846

3

**TITLE:** Minute books

**DATES:** 1896-1986.

**ARRANGEMENT:** Chronological by date.

**DESCRIPTION:**

This series contains the minute books from the Seventh District Court in Grand County, with actions from the criminal, civil, and probate divisions appearing throughout. Minute books contain the documentation of daily proceedings of the court but are not transcripts of court cases. Business matters include court site and officers present, jury selection, judicial appointments, expense claims, as well as entries noting the day's proceedings on various cases. A typical case will span multiple dates and will include an indictment or indication of the filed complaint, procedural issues, presentation of the case, witnesses' names, the verdict, and precise sentencing or settlement.

**RETENTION:**

Retain permanently

**DISPOSITION:**

Retain in agency custody.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 21846

**TITLE:** Minute books

(continued)

**APPRAISAL:**

Historical

Disposition is based on the value of these books in tracking individual actions made by the court over time.

**PRIMARY CLASSIFICATION:**

Public

**SECONDARY CLASSIFICATION(S):**

Exempt.

UCA 78-30-15 (2008). As of 1 July 1999, adoptions become public after 100 years; until then they are sealed and only obtainable through the court. These books include occasional reference to adoptions.



**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26195

3

**TITLE:** Naturalization records

**DATES:** 1896-1929.

**ARRANGEMENT:** Generally chronological.

**DESCRIPTION:**

These books contain completed federal naturalization forms. These petitions are filed by individuals declaring their intention to become U.S. citizens and who have met the residency requirements to make formal application for U.S. citizenship. A petition is the final step in becoming a United State citizen. It includes the the individual's name, residence, occupation, birth date and place; the place emigrated from; date and place of arrival, and vessel name; date and court of declaration of intention; spouse's name, birthplace, and residence; children's names, birth dates, birthplaces, and residences; and any previous applications filed. Also included are the affidavits of two witnesses, the oath of allegiance, and a court order admitting the person to citizenship.

**RETENTION:**

Retain permanently

**DISPOSITION:**

Retain in agency custody.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule CNT 14, Item 33.

**AUTHORIZED:** 06/18/2013

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently.

Microfilm master: Retain in State Archives permanently with authority to weed.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26195

**TITLE:** Naturalization records

(continued)

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.

**APPRAISAL:**

Historical

This series has permanent historical value as documentation of the naturalization of individuals in Grand County and the work handled by the district court.

**PRIMARY CLASSIFICATION:**

Public

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 03/2015.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 21845

3

**TITLE:** Orders and decrees record book

**DATES:** 1890-1925

**ARRANGEMENT:** Chronological

**DESCRIPTION:**

This record book contains transcripts of orders and decrees entered in civil and probate case files.

**RETENTION:**

Retain permanently

**DISPOSITION:**

Retain in agency custody.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently.

Microfilm master: Retain in State Archives permanently with authority to weed.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26262

3

**TITLE:** Probate case files

**DATES:** 1888-

**ARRANGEMENT:** Numerical by case number.

**DESCRIPTION:**

Probate case files from the Seventh District Court in Grand County primarily involve the probate of estates for deceased persons and guardianship for minors and incompetent persons. Probate is judicial oversight of property in transition. Probate of estates is the process by which a deceased person's property is identified and maintained, his debts and taxes paid, and then remaining property distributed to beneficiaries as specified in a will or as required by law for persons who die intestate (without a will). In guardianship cases probate is the establishment of a guardian for minors or incompetent adults who hold property that needs management. In addition to probate these case files may also include name changes and some adoptions.

**RETENTION:**

Retain permanent

**DISPOSITION:**

Retain in agency custody.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

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Microfiche master: Retain in State Archives permanently with authority to weed.

Paper: For records beginning in 1985 and continuing to the present. Retain in Office permanently.

Microfilm master: Retain in State Archives permanently with authority to weed.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26262

**TITLE:** Probate case files

(continued)

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

Administrative Historical Legal

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. Because they enforce or protect private rights and prevent or redress private wrongs, the value of the judge's decrees and final judgments to parties in the action may well extend indefinitely.

**PRIMARY CLASSIFICATION:**

Public

**SECONDARY CLASSIFICATION(S):**

Private. Judicial records are public unless restricted under rules of civil procedure (UCA 63G-2-301-[1][f]). Included are custody proceedings, guardianship files, minutes, & probate records. Wills are generally

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 03/2015.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 1103

4

**TITLE:** Probate record books

**DATES:** i 1908-1975.

**ARRANGEMENT:** Alphanumerical with chronological entries

**DESCRIPTION:**

These record books detail the proceedings in estate and guardianship cases. Personal name change cases may also appear. For deceased persons, the will, appraisals and inventories, and the settlements are recorded. For guardianships, the appointment of a guardian and frequently an account of some property are noted. Adoption records give the full order of adoption, often with statements from both the natural and adoptive parents or a social service agency detailing circumstances of the adoption. The county probate court was responsible for the proceedings of these cases until statehood (1896), at which time the probate court was dissolved and the district court assumed the responsibility.

**RETENTION:**

Retain permanently

**DISPOSITION:**

Retain in agency custody.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

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Microfilm master: For records beginning in 1890 through 1913.  
Retain in State Archives permanently.

Microfilm duplicate: For records beginning in 1890 through 1913.  
Retain in State Archives permanently.

Paper: Retain in Office permanently.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 1103

**TITLE:** Probate record books

(continued)

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26182

3

**TITLE:** Probate registers of actions

**DATES:** 1890-1990.

**ARRANGEMENT:** Numerical by case number, thereunder chronological by date.

**DESCRIPTION:**

Probate registers of action list each action taken in the cases presented to the probate division of Seventh District Court: Grand County. In addition to handling the estates of deceased persons, the probate division also dealt with adoptions, guardianships, and insanity and incompetency cases. The court was responsible for adjudicating and conveying ownership of town site lands (Utah Code, 57-7-19,1953). Occasionally, the court handled name changes and inquests regarding the cause of a death. In each case the probate register indicates the name or names of the individuals involved, the kind of case, and the name of the petitioner's attorney, followed by a list of each action taken in the case and the date that action was taken.

**RETENTION:**

Retain permanently

**DISPOSITION:**

Retain in agency custody.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

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Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.



**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26182

**TITLE:** Probate registers of actions

(continued)

Paper: Retain in State Records Center until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

Historical

Disposition is based on their value in accessing permanent historic court case files.

**PRIMARY CLASSIFICATION:**

Public

**SECONDARY CLASSIFICATION(S):**

Exempt. UCA 78-30-15 (2008). As of 1 July 1999, adoptions become public after 100 years; until then they are sealed and only obtainable through the court. These books include occasional reference to adoptions.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26193

3

**TITLE:** Registers of action for adoptions and mental commitments

**DATES:** 1965-1990.

**ARRANGEMENT:** Chronologically by date

**DESCRIPTION:**

Traditionally district courts, including Seventh District Court (Box Elder County), created a register of actions for each probate case heard by the court. In this case the court began keeping registers for adoptions and insanity commitments in a separate register because these are private records. In each register the court listed each action until the adoption or commitment was finalized. Actions listed might have included such things as filing petitions or other documents, setting dates for hearings, and court orders of various types. For each case the court clerk identified the relevant name and type of case, whether adoption or commitment. Registers provide court assigned case numbers. For each action the clerk listed the type of action taken and the date on which that action was taken. Registers of action are case summaries which provide reference to additional records. Court assigned case numbers listed in the registers are a guide to case files which contain all of the important documents related to the case. The list of dates for actions provides reference to court minute books and record books which contain summaries of court actions and copies of important documents.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

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Microfilm duplicate: Retain in Office permanently.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

**AGENCY:** District Court (Seventh District : Grand County)

**SERIES:** 26193

**TITLE:** Registers of action for adoptions and mental commitments

(continued)

**PRIMARY CLASSIFICATION:**

Exempt      UCA 78-30-15 adoptions private for 100 years